

TITLE 33
EDUCATION

CHAPTER 62 [63]
EXTENDED EMPLOYMENT SERVICES PROGRAM

33-6201 [33-6301]. DEFINITIONS. As used in this chapter:

- (1) "Board" means the state board of education.
- (2) "Disability" means a developmental disability as defined in 45 CFR 1325.3 or a learning disability, mental illness, or traumatic brain injury as defined in board rule.
- (3) "Division" means the division of vocational rehabilitation.
- (4) "Extended employment services" or "EES" means long-term maintenance services that assist participants in maintaining employment or gaining employment skills in preparation for community employment or that provide assistance to adult participants within an industry or a business setting or a community rehabilitation program intended to maintain paid employment. Extended employment services include individual supported employment, group community-based supported employment, and work services.
- (5) "Group community-based supported employment" means self-employment or paid employment that is:
 - (a) For a group of no more than eight (8) participants who are paid at least minimum wage and who, because of their disabilities, need ongoing support to maintain employment;
 - (b) Conducted in a variety of community and industry settings where the participants have opportunities to interact with coworkers or others without known paid work supports at least to the extent that those opportunities typically exist in that work setting;
 - (c) Supported by training and supervision needed to maintain that employment; and
 - (d) Not conducted in the work services area of a provider.
- (6) "Individual community-supported employment" means self-employment or paid employment:
 - (a) For which a participant is paid a competitive wage;
 - (b) For which the participant, because of the participant's disability, needs ongoing support to maintain the employment;
 - (c) That is conducted in a community or industry setting where persons without known paid work supports are employed; and
 - (d) Is supported by authorized activities needed to sustain paid work by persons with disabilities, including but not limited to supervision, training, and transportation.
- (7) "Individual program plan" means a plan for extended employment services appropriate for an individual participant based on the participant's needs and personal goals.
- (8) "Participant" means a person eligible for and enrolled in the extended employment services program established pursuant to section [33-6202](#), Idaho Code.
- (9) "Program" means the extended employment services program established pursuant to section [33-6202](#), Idaho Code.
- (10) "Provider" means a community rehabilitation program services provider approved by the division to provide extended employment services.
- (11) "Work services" means activities, typically conducted on provider premises, intended to assist participants in understanding the value and de-

mands of work and developing functional capacities that increase or maintain the skill sets of participants to achieve and maintain employment.

[33-6201 [33-6301], added 2020, ch. 328, sec. 1, p. 946.]

33-6202 [33-6302]. PROGRAM ESTABLISHED. (1) There is hereby established in the board an extended employment services (EES) program for the purpose of increasing employment opportunities for program participants. The program shall be administered by the division. Extended employment services offered under the program are separate and apart from any federal program but may be collaborative with and supportive of federal programs. Administrative costs charged to the EES program shall be limited, subject to federal indirect cost rate matching requirements, and subject to audit and review.

(2) Program services shall be:

- (a) Provided when eligible individuals do not have access to comparable services or have fully utilized comparable services for which they are eligible; and
- (b) Separate and apart from and delivered subsequent to vocational rehabilitation services as defined in 29 U.S.C. 705(40), provided by the division.

[33-6202 [33-6302], added 2020, ch. 328, sec. 1, p. 947.]

33-6203 [33-6303]. ELIGIBILITY. (1) A person is eligible to participate in the program if the person:

- (a) Has a disability that constitutes a barrier to maintaining paid employment without long-term vocational support;
- (b) Is sixteen (16) years of age or older; and
- (c) Is an Idaho resident.

(2) The division may periodically review a participant's eligibility and service level need for the program.

[33-6203 [33-6303], added 2020, ch. 328, sec. 1, p. 948.]

33-6204 [33-6304]. COVERED SERVICES -- INDIVIDUAL PROGRAM PLAN. (1) Subject to available funding, the program shall provide the following services to participants, as appropriate:

- (a) Individual community-supported employment;
- (b) Group community-based supported employment; and
- (c) Work services.

(2) The services provided to a participant shall be based on the participant's individual program plan, as developed according to board rule.

[33-6204 [33-6304], added 2020, ch. 328, sec. 1, p. 948.]

33-6205 [33-6305]. EES PROVIDERS -- REQUIREMENTS -- REVOCATION OF APPROVAL -- AGREEMENT REVIEW. (1) The division shall approve any person or entity before such person or entity may provide extended employment services under the program. The division shall enter an agreement with each program provider. The agreement shall specify:

- (a) Requirements for the provider;
- (b) Services to be offered by the provider;
- (c) Scope of work under the agreement;

(d) Service fees; and

(e) Other terms, conditions, and provisions as determined by the division and agreed to by the provider.

(2) The division may terminate or revoke the approval status and discontinue authorizing or purchasing services from providers for actions in violation of the agreement or rules promulgated by the board.

(3) A provider agreement shall be reviewed annually and is subject to revision as required by the division in cooperation with providers.

[33-6205 [33-6305], added 2020, ch. 328, sec. 1, p. 948.]

33-6206 [33-6306]. PROGRAM IMPLEMENTATION. The board is hereby authorized to take such actions as are necessary to implement the provisions of this chapter, including promulgation of necessary rules.

[33-6206 [33-6306], added 2020, ch. 328, sec. 1, p. 948.]